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PTO/SB/01 (09-04)

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| NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES | | Docket Number (Optional) 249212024500 | |
| In re Application of Lloyd A. POSTON | | | |
| Application Number 09/588,242 | | Filed June 6, 2000 | |
| For DATA STORAGE SYSTEM AND PROCESS | | | |
| Art Unit 2188 | | Examiner M. Anderson | |

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500.00

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this check.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 03-1982 (PTO/SB/17) is attached to this submission in duplicate. I have enclosed a duplicate copy of this check. Fee Transmittal form

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

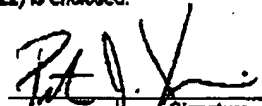
I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/88)

☐ attorney or agent of record.
Registration number _____

☒ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. 44,417


Signature
Peter J. Yim
Typed or printed name

(415) 268-6373
Telephone number

March 21, 2005
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of 1 forms are submitted.

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9308, on the date shown below.

Dated: March 21, 2005

Signature: Valerie Cohen (Valerie Cohen)

sf-1898090

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PAGE 6/8 * RCVD AT 3/21/2005 4:21:35 PM [Eastern Standard Time] * SVR:USPTO-EFAXF-1/1 * DNS:8729308 * CSID:415 2687522 * DURATION (mm:ss):01:54

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